

Elkins Water & Sewer Department
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Elkins, AR 72727
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POLICIES FOR ELKINS WATER & SEWER DEPARTMENT

In order to provide water and sewer services to customers of the Elkins Water & Sewer Department, to keep the fees and charges reasonable and to prevent losses from move-offs and delinquent accounts, the following rules and procedures are adopted with regard to all new accounts opened after the 1st day of June, 2011.

Rule 1.01 Deposits from Applicants

The Elkins Water & Sewer Department require a deposit from any applicant requesting either water or sewer or water and sewer services to guarantee payment for service, subject to the conditions hereinafter set forth:

- 1) Elkins Water & Sewer Department shall not determine the amount of the deposit based upon income, residential location, race, color, home ownership, creed, sex, marital status, age, or national origin. In each instance the deposit amount shall be determined, taking into account the level of sanitation services being utilized or sought by the applicant and the relevant monthly charges for that level of service.
- 2) Elkins Water & Sewer Department may require an enhanced deposit as a condition of service from an applicant for residential service if one or more of the following criteria applies:
 - a. The applicant cannot provide proof of a satisfactory payment history with the same kind of utility for the previous twelve months.
 - b. The applicant has a past due, unpaid account for previous utility service with the Elkins Water & Sewer Department which is not in dispute.
 - c. The applicant did not pay bills from the Elkins Water & Sewer Department by the close of business on the due date two times in a row or any three times in the last twelve months.
 - d. The applicant gave the Elkins Water & Sewer Department two or more checks in payment for previous utility service within the most recent twelve month period of service which were returned unpaid for reasons other than bank error.
 - e. The applicant's service from the Elkins Water & Sewer Department has been suspended during the last twenty-four months for one or more of the following reasons:

- i) Nonpayment of any undisputed past due bill(s); or,
 - ii) Misrepresentation of the applicant's identify for the purpose of obtaining utility service; or,
 - iii) Failure to reimburse the Elkins Water & Sewer Department for damages due to negligent or intentional acts of the customer; or,
 - iv) Obtaining, diverting, or using service without the authorization or knowledge of the Elkins Water & Sewer Department.
- f. Information provided by the applicant upon application for service or within the previous two year period is materially false or materially misrepresentative of the applicant's true status, and the misrepresentation is relevant to the conditions under which the applicant may obtain utility service.

If an enhanced deposit is required from an existing customer or applicant, the Elkins Water and Sewer Department shall explain in writing the reason for charging any new or additional deposit, the amount of the deposit, when the deposit must be paid, and the consequences of failing to pay the additional deposit.

3) Amounts

The Elkins Water & Sewer Department shall determine the amount of a deposit as follows:

- a. The deposit shall not be more than \$300.00 for residential water, sewer and sanitation services.

EXCEPTION:

The Elkins Water & Sewer Department may receive from a landlord a deposit which shall not exceed the estimated bill for all these services for three average billing periods.

- b. If the Elkins Water & Sewer Department discovers that an applicant has used the utility's service without authorization or tampered with the utility's equipment, it may charge that applicant a total deposit of not more than six average bills, plus the potential damage to utility equipment.
- c. If any of the criteria in (2) a. through f. are present, the Elkins Water & Sewer Department may charge an enhanced deposit of \$250.00 prior to commencement of services.

- d. In accordance with the United State Bankruptcy Code, U.S.C.A. Title 11 § 366, the utility may require an applicant to furnish adequate assurance of payment in the form of a deposit or other security.
- e. If the applicant has previously left the Elkins Water and Sewer Department's service owing a bill and that bill is unpaid at the time of application, the utility may require a deposit equal to twice the maximum billing.

4) Payment Procedures

All deposits are due prior to commencement of services by the Elkins Water & Sewer Department. Deposits shall not bear interest.

5) Receipts

Utilities shall give customers receipts for their deposits upon customer request.

Rule 1.02 General Policies

- 1) No customer can be served with water/sewer if they owe a previous bill on an old account. Meter deposits are refunded if the final bill is paid in full or if the final bill is less than the meter deposit, then the balance will be refunded.
- 2) The person who signs the water/sewer service request is the person who is responsible and liable for the periodic bills.
- 3) Each residence must have a separate water meter.
- 4) The customer is responsible for any and all water that goes through their water meter. The customer is responsible for all lines from the meter box to the resident's home.
- 5) Bills are due on the 15th of each month. A 10% penalty is applied on the 16th day or the first working day thereafter. Shut off notices are sent out on the 25th of each month. If the bill is not paid by the 9th of the following month service will be disconnected on the 10th and if water is disconnected, then the customer must pay the unpaid amount, plus the 10% penalty and a reconnection fee. Reconnections during normal business hours, are \$25.00, Elkins Water and Sewer Department does not make reconnection after hours, weekends or holidays. All fees charged to an account must be paid before service can be continued. In the event of a problem concerning payment, please do not hesitate to call our office during regular business hours so some arrangement can be made.
- 6) Elkins Water & Sewer Department employees are not responsible for reporting to the customer during the disconnecting of meters, resetting of meters or any type of service call.

WHEN A METER IS SET OR A RECONNECTION IS MADE, THE WATER WILL NOT BE TURNED ON UNLESS THE CUSTOMER IS HOME. This is done to protect the customer and Elkins Water & Sewer Department. If you want the water turned on, please let the office know when you will be home. For your protection, turn your water off at the meter when you are away from home for an extended period of time.

- 7) Insufficient checks or any checks returned to our office by the bank will be treated as nonpayment on an account. When a customer has two (2) checks returned by the bank within a six (6) month period, our office will no longer accept checks from that customer. The maximum returned check fee allowed by law will be charged on any returned checks.
- 8) Any customer who is caught tampering with a meter may be prosecuted criminally.
- 9) Water /sewer requests must be signed and Elkins Water & Sewer Department must receive payment before meters or new connections are set.

These policies and rules adopted by the Elkins' Water and Sewer Committee on the 12 day of May, 2011.

Mike R. Lemaster
Chairman

Michelle Caler
Secretary